Case 14-30441-SLM Doc 144 Filed 12/16/16 Entered 12/17/16 00:56:39 Desc Imaged Tearing Andries of Andrees of Andries of Andries of Andries of Andries of Andries of A

In Re: Case No.: 14-30441

JOSEPH T. GUARRACINO Chapter: 7

and YVETTE L. GUARRACINO Judge: Stacey L. Meisel

Debtors.

NOTICE OF PROPOSED COMPROMISE or SETTLEMENT OF CONTROVERSY

Steven P. Kartzman, Trustee, in this case proposes a compromise, or to settle a claim and/or action as described below. If you object to the settlement or compromise, you must file a written objection with the Clerk of the United States Bankruptcy Court, and serve it on the person named below not later 7 days before the hearing date.

Address of the Clerk: James J. Waldron, Clerk

Martin Luther King Jr. Federal Building

50 Walnut Street

Newark, New Jersey 07102

If an objection is filed, a hearing will be held before the <u>Honorable Stacey L. Meisel</u> on <u>January 17, 2017</u> at 10:00 a.m. at the United States Bankruptcy Court, courtroom no. <u>3A, 50 Walnut Street, Newark, New Jersey 07102</u> (hearing to be scheduled for at least 28 days from the date of the filing of the notice). If no objection is filed the clerk will enter a *Certification of No Objection* and the settlement may be completed as proposed.

Nature of action: The Trustee has incurred fees and costs pursuant to 11 U.S.C. § 503(b) in connection with the preservation, marketing and sale of the Debtors' 2002 Grady White 223 boat (the "Boat"), such Boat having been sold for the sum of \$22,000 (the "Sale Proceeds"). The Provident Bank is due the sum of \$7,381.97 as of November 30, 2016, on account of a lien on the Boat.

Pertinent terms of settlement: The Trustee will be authorized to carve-out \$1,500 from The Provident Bank's share of the Sale Proceeds for the payment of the Trustee's administrative expenses. The Trustee believes that the settlement is in the best interests of the estate as it maximizes value and will avoid unnecessary litigation.

Objections must be served on, and requests for additional information directed to:

Name: /s/ Steven P. Kartzman, Esq., Mellinger, Sanders & Kartzman, LLC

Address: 101 Gibraltar Drive, Suite 2F, Morris Plains, New Jersey 07950

Telephone No.: (973) 267-0220

rev.8/1/15

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In re:
Joseph T. Guarracino
Yvette L. Guarracino
Debtors

Case No. 14-30441-SLM Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2 User: admin Page 1 of 3 Date Rcvd: Dec 14, 2016 Form ID: pdf905 Total Noticed: 74

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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Dec 16, 2016.
                                  +Joseph T. Guarracino, Yvette L. Guarracino, 17 Sycamore Court, Westwood, NJ 07675-3523 +Mellinger, Sanders & Kartzman, LLC, 101 Gibraltar Drive, Suite 2F,
db/jdb
aty
                                      Morris Plains, NJ 07950-1287
                                   +Ronald Horowitz, Ronald Horowitz, Esq, PO Box 353707, Palm Co+A.J. Willner Auctions, PO Box 1012, Springfield, NJ 07081-5012
                                                                                                                                                                                 Palm Coast, FL 32135-3707
auc
                                     American Express, Attn: Becket & Lee LLP, P.O. Box 3001, Malvern, PA 19355-0701
Garden State Yacht Sales, 101 Route 35 South and, the Manasquan River,
Point Pleasant Beach, NJ 08742
cr
                                   AJ Trucco Inc., 343-344 C. NYC Terminal Market, Bronx, NY 10474
+Accounts Receivable Management, Inc., PO Box 129, Thorofare, NJ 08086-0129
+Agri Exotic Trading, 700 U.S. Route 46, Clifton, NJ 07013-1501
+Alliance Shippers, Inc., 516 Sylvan Avenue, Englewood Cliffs, NJ 07632-3022
+Alliance Shippers, Inc., c/o Ronald Horowitz, Esq., 2561 Moody Blvd, Suite I
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                                       Flager Beach, FL 32136-4425
                                Flager Beach, FL 32136-4425
American Express Bank FSB, c/o Becket and Lee LLP, POB 3001, Malvern PA 19355-0701
++C O AMERICAN INFOSOURCE LP, 4515 N SANTA FE AVE, OKLAHOMA CITY OK 73118-7901
(address filed with court: T-Mobile, PO Box 629025, El Dorado Hills, CA 95762)
+C&J Bros. Produce, 238-241 Row B., NYC Terminal Market, Bronx, NY 10451
CAPITAL ONE, N.A., C/O BECKET AND LEE LLP, POB 3001, MALVERN, PA 19355-0701
+Caine & Weber, 9931 Corporate Campus Drive, Louisville, KY 40223-4035
+CitiBank NA, Northland Group, Inc., P.O. Box 390905, Minneapolis, MN 55439-0905
Country Wide Produce, 266B Hunts Point Terminal, Bronx, NY 10474
D'Arrigo Bros., 315 NYC Terminal Market, Bronx, NY 10474
D.M. Rothman Co., Inc., NYC Terminal Market, Row A, Bronx, NY 10474
E. Armata Fruit & Produce, Stores 111-117 NYC Terminal Market, Bronx, NY 10474
EZ Pass NY, Neo Financial Systems, P.O. Box 15372, Wilmington, DE 19850-5372
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                                   EZ Pass NY, Neo Financial Systems, P.O. Box 15372, Wilmington, DE 19850-5372
+Equitable Ascent Financial, LLC, c/o Sklar-Markind, 102 Browning Lane, Building B, Suite 1,
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                                       Cherry Hill, NJ 08003-3195
                                     Fierman Produce Exchange, Stores 247-248 250-257, Bronx, NY 10474
                                   +Highway Body Works, 8600 Tonelle Ave., North Bergen, NJ 07047-4799
+Hydro Electric Lift, 1700 Paterson Plank Road, North Bergen, NJ 07047-1910
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                                   +IRS, Holtsville, NY 00544-0001
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                                   Jerry Porricelli Produce, 342 Row C. Hunts Point Co-op, Bronx, N
+John Molinelli, Inc., 5080 Landis Ave., Vineland, NJ 08360-9340
Kohl's Department Stores Inc., c/o CBCS, PO Box 69, Columbus,
+Krisp-Pak, 9 Crows Mill Road, Keasbey, NJ 08832-1004
+LBD Produce, B226-233 NYC Terminal Market, Bronx, NY 10474-7400
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                                   +Lyndhurst Coat Co., Inc., P.O. Box 414, Wyckoff, NJ 07481-0414
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                                   +Morris Okun, Inc., Units 205-220, NYC Terminal Market, Bronx, NY 10474-7402
+Mr. Sprout, Inc., 401 Hunts Point Terminal, Bronx, NY 10474-7011
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                                                                                      Attn: Turner Law Firm, 76 South Orange Ave., Ste. 306,
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                                        South Orange, NJ 07079-1923
                                    +PSE&G, c/o Harris & Harris, Ltd., 111 West Jackson Blvd., Suite 400,
                                       Chicago, IL 60604-4135
                                    +Peerless Insurance,
                                                                                       c/o Teller, Levit & Silvertrust, PC, 19 S. Lasalle, Suite 701,
515092595
                                       Chicago, IL 60603-1431
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                                     Pinnacle Credit Services,
                                                                                                                                                                        PO Box 990846, Minneapolis, MN 55439
                                                                                                      c/o Northland Group Inc.,
                                 Pinnacle Credit Services, c/o Northland Group Inc., PO Box 990846, Minneapol +Pinto Service, 95 Route 46 West, Lodi, NJ 07644-3619 +RentaLift, 48 Alabama Ave., Paterson, NJ 07503-2107 +Residential Credit Solutions, Inc., P.O. Box 163349, Fort Worth, TX 76161-3349 +Rober J. Zak, CPA, 75 Essex Street, Ste. 210, Hackensack, NJ 07601-4035 #Ronald Horowitz, Esq., 2561 Moody Blvd. Suite D, Flagler Beach, FL 32136-4425 +S&S Refrigeration, 733 Communipaw Ave., Jersey City, NJ 07304-1707 +STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245, TRENTION NJ 08646-0245
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                                        TRENTON NJ 08646-0245
                                  TRENTON NJ 08646-0245
(address filed with court: State of New Jersey, Division of Taxation,
Federal Offset Program, PO Box 283, Trenton, NJ 08695)
+Smart Auto & Truck Center, 777-779 Fairview Ave., Fairview, NJ 07022-1508
+Speed Fuel Corp., 344 East State Hwy. 4, Paramus, NJ 07652-5105
+State of New Jersey Division of Taxation, 50 Barrack Street, Trenton, NJ 08608-2006
+TD Bank, c/o NCB Management Services, Inc., PO Box 1099, Langhorne, PA 19047-6099
The Alphas Co., 223-225 Row B. Hunts Point Terminal, Market, Bronx, NY 10474
+TO-Jo Mushrooms, P.O. Box 687, Avondale, PA 19311-0687
+U.S. Department of Education, c/o ConServe, PO Box 457, Fairport, NY 14450-0457
+United Water NJ, c/o Penn Credit, 916 S. 14th St., Harrisburg, PA 17104-3425
+VCMR LLC Truck Service, 6 Bower St., Linden, NJ 07036-2614
+Waste Management, P.O. Box 13648, Philadelphia, PA 19101-3648
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Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued) Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. E-mail/Text: usanj.njbankr@usdoj.gov Dec 14 2016 23:09:12 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534 +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Dec 14 2016 23:09:09 United States Trustee, smq Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235 +E-mail/Text: atkinsappraisal@aol.com Dec 14 2016 23:08:56 A Atkins Appraisal Corporation, app 122 Clinton Road, Fairfiled, NJ 07004-2900 +E-mail/Text: atkinsappraisal@aol.com Dec 14 2016 23:08:56 A. Atkins Appraisal Corp., app 122 Clinton Road, Fairfield, NJ 07004-2900 +E-mail/Text: msklar@ajwillnerauctions.com Dec 14 2016 23:09:06 A.J. Willner & Co., Inc, auc PO Box 1012, Springfield, NJ 07081-5012 +E-mail/PDF: gecsedi@recoverycorp.com Dec 14 2016 23:17:09 Synchrony Bank, c/o Recovery Mmgt. Sys., 25 SE 2nd Ave., Ste. 1120, Miami, FL 33131-1605 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Dec 14 2016 23:16:54 cr 515427445 American InfoSource LP as agent for, T Mobile/T-Mobile USA Inc, Oklahoma City, OK 73124-8848 PO Box 248848. 515308994 +E-mail/Text: bankruptcy@cavps.com Dec 14 2016 23:09:28 Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340 +E-mail/Text: bankruptcydpt@mcmcg.com Dec 14 2016 23:09:08 E-mail/Text: bankruptcydpt@mcmcg.com Dec 14 2016 23:09:08 GE Money/QVC/Midland Funding, c/o Midland Credit Management, 8875 Aero Drive, Suite 200, San Diego, CA 92123-2255 515092541 515092581 +E-mail/Text: cio.bncmail@irs.gov Dec 14 2016 23:08:48 Internal Revenue Service, 1 Kalisa way, Paramus, NJ 07652-3511 515092592 +E-mail/Text: bkrpt@retrievalmasters.com Dec 14 2016 23:09:08 NJ EZ Pass, c/o Retrieval-Masters Creditors Bureau, 4 Westchester Plaza, Suite 110, Elmsford, NY 10523-1615 515092601 +E-mail/Text: bkrpt@retrievalmasters.com Dec 14 2016 23:09:08 Retrieval-Masters Creditors Bureau, Inc., 4 Westchester Plaza, Suite 110, Elmsford, NY 10523-1615 515296598 E-mail/PDF: gecsedi@recoverycorp.com Dec 14 2016 23:16:45 Synchrony Bank, c/o of Recovery Management Systems Corp, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605 515330048 ME2-002-035, P.O. Box 9547, Portland, ME 04112-9547 TOTAL: 14 ***** BYPASSED RECIPIENTS (undeliverable, * duplicate) ***** +Mellinger Sanders & Kartzman, 101 Gibraltar Drive, Suite 2F, aty* Morris Plains, NJ 07950-1287 +Lyndhurst Coat Co., Inc., PO Box 414, Wyckoff, NJ 07481-0414 AMERICAN EXPRESS BANK, FSB, C/O BECKET AND LEE LLP, POB 3001, 515448427* MALVERN, PA 19355-0701 +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 515092543* 515092544* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 515092545* 515092546* +GFP Distributors, Inc., P.O. Box 2282, +GFP Distributors, Inc., P.O. Box 2282, 515092547* South Hackensack, NJ 07606-0882 515092548* South Hackensack, NJ 07606-0882 515092549* P.O. Box 2282, +GFP Distributors, Inc., South Hackensack, NJ 07606-0882 515092550* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 515092551* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 515092552* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 515092553* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 +GFP Distributors, Inc., +GFP Distributors, Inc., 515092554* P.O. Box 2282, South Hackensack, NJ 07606-0882 P.O. Box 2282, 515092555* South Hackensack, NJ 07606-0882 +GFP Distributors, Inc., +GFP Distributors, Inc., 515092556* P.O. Box 2282, South Hackensack, NJ 07606-0882 515092557* P.O. Box 2282, South Hackensack, NJ 07606-0882 515092558* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 515092559* P.O. Box 2282, +GFP Distributors, Inc., South Hackensack, NJ 07606-0882 515092560* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 515092561* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 515092562* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 515092563* P.O. Box 2282, South Hackensack, NJ 07606-0882 +GFP Distributors, Inc., South Hackensack, NJ 07606-0882 515092564* +GFP Distributors, Inc., P.O. Box 2282, +GFP Distributors, Inc., +GFP Distributors, Inc., 515092565* P.O. Box 2282, South Hackensack, NJ 07606-0882 P.O. Box 2282, South Hackensack, NJ 07606-0882 515092566* +GFP Distributors, Inc., +GFP Distributors, Inc., South Hackensack, NJ 07606-0882 South Hackensack, NJ 07606-0882 515092567* P.O. Box 2282, 515092568* P.O. Box 2282, 515092569* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 515092570* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 515092571* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 515092572* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 515092573* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 515092574* South Hackensack, NJ 07606-0882 +GFP Distributors, Inc., P.O. Box 2282, 515092575* +GFP Distributors, Inc., P.O. Box 2282, South Hackensack, NJ 07606-0882 +GFP Distributors, Inc., +GFP Distributors, Inc., South Hackensack, NJ 07606-0882 South Hackensack, NJ 07606-0882 515092576* P.O. Box 2282, P.O. Box 2282, 515092577*

Philadelphia, PA 19101-7346

Internal Revenue Service, PO Box 7346,

515092580*

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District/off: 0312-2 User: admin Page 3 of 3 Date Royd: Dec 14, 2016 Form ID: pdf905 Total Noticed: 74 ***** BYPASSED RECIPIENTS (continued) ***** 515092593* +NJ EZ Pass, c/o Retrieval-Masters Creditors Bureau, 4 Westchester Plaza, Suite 110, Elmsford, NY 10523-1615 515092604* 2561 Moody Blvd., +Ronald Horowitz, Esq., Suite D. Flagler Beach, FL 32136-4425 DIVISION OF TAXATION BANKRUPTCY UNIT, 515816965* ++STATE OF NEW JERSEY, PO BOX 245, TRENTON NJ 08646-0245 (address filed with court: State of New Jersey, Division of Taxation, P.O. Box 245, Trenton, NJ 08695-0245) +United Water NJ, c/o Penn Credit, 916 S. 14th Street, Harrisburg, PA 17104-3425 515092616* TOTALS: 0, * 43, ## 0 Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. Transmission times for electronic delivery are Eastern Time zone. Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4). Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

While the notice was still deliverable, the notice recipient was advised to update its address with the court

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 16, 2016 Signature: /s/Joseph Speetjens

immediately.

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 13, 2016 at the address(es) listed below: Alla Kachan on behalf of Joint Debtor Yvette L. Guarracino alla@kachanlaw.com Alla Kachan on behalf of Debtor Joseph T. Guarracino alla@kachanlaw.com on behalf of Defendant Joseph T. Guarracino alla@kachanlaw.com er on behalf of Plaintiff Nathel & Nathel courts@turnerlaw.. Andrew R. Turner Nathel & Nathel courts@turnerlaw.net Dipesh Patel on behalf of Debtor Joseph T. Guarracino dpatel@saul.com on behalf of Joint Debtor Yvette L. Guarracino dpatel@saul.com Dipesh Patel on behalf of Plaintiff Yvette L. Guarracino dpatel@saul.com Dipesh Patel Dipesh Patel on behalf of Plaintiff Joseph T. Guarracino dpatel@saul.com Joseph R Zapata, Jr. on behalf of Trustee Steven P. Kartzman jzapata@msklaw.net Joshua I. Goldman on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWMBS, INC., CHL MORTGAGE PASS-THROUGH TRUST 2007-18, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-18 jgoldman@kmllawgroup.com, bkgroup@kmllawgroup.com Nicole Alison Corona on behalf of Trustee Steven P. Kartzman ncorona@msklaw.net Stephen B. Ravin on behalf of Joint Debtor Yvette L. Guarracino sravin@saul.com, jgillman@saul.com Stephen B. Ravin on behalf of Plaintiff Joseph T. Guarracino sravin@saul.com, jgillman@saul.com Stephen B. Ravin on behalf of Debtor Joseph T. Guarracino sravin@saul.com, jgillman@saul.com Stephen B. Ravin on behalf of Plaintiff Yvette L. Guarracino sravin@saul.com, jqillman@saul.com Steven P. Kartzman on behalf of Trustee Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net;nj16@ecfcbis.com;ncorona@msklaw.net;angiea@msklaw.net Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net;nj16@ecfcbis.com;ncorona@msklaw.net;angiea@msklaw.net

TOTAL: 17